

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WARREN E. ARMSTEAD,)	CASE NO.: C07-0025-JCC-MAT
)	
Petitioner,)	
)	
v.)	ORDER REQUESTING REPLY
)	
DOUG WADDINGTON,)	
)	
Respondent.)	
_____)	

In his answer to petitioner's 28 U.S.C. § 2254 habeas corpus petition, respondent argued that the petition should be dismissed as time-barred. However, respondent did not address the equitable tolling argument raised in the petition. (*See* Dkt. 22 at 14-15). Also, respondent did not submit a reply to petitioner's response to the answer. Petitioner attached to that response documents from the state courts pertinent to his equitable tolling argument which were not included in the administrative record filed by respondent in this Court. (*See* Dkt. 34, Ex. 1.) The Court finds that a reply from respondent on this issue would be helpful. As such, the Court hereby

ORDERS:

(1) Respondent shall submit a reply addressing petitioner's equitable tolling argument on or before **June 29, 2007** and respondent's answer is hereby renoted for consideration as of that

01 same date. To the extent available and not already before the Court, respondent shall also submit
02 any additional documents pertinent to petitioner's equitable tolling argument.

03 (2) The Clerk shall direct copies of this Order to petitioner, to counsel for respondent,
04 and to the Honorable John C. Coughenour.

05 DATED this 13th day of June, 2007.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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